

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING)	
PHARMACY, INC., PRODUCTS LIABILITY)	
LITIGATION)	
)	MDL No.: 2419
)	Master Docket No.: 1:13-md-2419
)	
THIS DOCUMENT RELATES TO:)	
)	
All Actions Against Specialty Surgery Center and)	
Dr. Kenneth Lister)	
)	

MOTION FOR SANCTIONS AND FOR ORDER TO SHOW CAUSE

For reasons explained in the accompanying Memorandum, the Plaintiffs’ Steering Committee (“PSC”) hereby moves for sanctions against the SSC Defendants,¹ Ms. Atkinson, the St. Thomas Neurosurgical Defendants, and Dr. Donald Jones, and for an order to show cause why those entities did not violate the Court’s July 28, 2016 Order (Dkt. No. 3015) and the associated Qualified Protective Order (Dkt. 3030). The PSC requests that all records on the Cumberland Computers that these entities have withheld or redacted on unauthorized grounds be made available to the PSC immediately. The PSC also requests its reasonable attorney’s fees and expenses in filing this motion. Finally, the PSC requests that the Court issue an Order to Show Cause why the SSC Defendants, Ms. Atkinson, the St. Thomas Neurosurgical Defendants, and Dr. Donald Jones should not be held in contempt for violating the Court’s Orders.

Date: December 15, 2016

Respectfully submitted:

/s/ J. Gerard Stranch, IV
J. Gerard Stranch, IV
Benjamin A. Gastel
Anthony A. Orlandi

¹ The “SSC Defendants” include Specialty Surgery Center PLLC, Dr. Kenneth Lister, MD, and Dr. Kenneth Lister, MD, PC.

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CERTIFICATE OF SERVICE

I, J. Gerard Stranch, IV, hereby certify that I caused a copy of the foregoing document to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Date: December 15, 2016

/s/ J. Gerard Stranch, IV
J. Gerard Stranch, IV